IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

O.P.No. 13420 of 2003(V)

PETITIONER:

MARAKKAR KUNJU MUHAMMED, S/O. MARAKKAR,
KIZHAKKAN HOUSE, PONJASSERY (P.O), MUDICKAL (VIA),
PERUMBAVOOR-683 547.

BY ADV. SRI.K.A.SHAMSUDEEN

RESPONDENTS:

1. STATE OF KERALA,
REP. BY ITS SECRETARY TO THE INDUSTRIES DEPARTMENT
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, ERNAKULAM
(CHAIRMAN, ERNAKULAM DISTRICT SINGLE WINDOW
CLEARANCE BOARD AND CHAIRMAN,
GREEN CHANNEL CLEARANCE COMMITTEE,
ERNAKULAM), CIVIL STATION, KAKKANAD, ERNAKULAM.

3. THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE,
ERNAKULAM (CONVENOR, ERNAKULAM DISTRICT SINGLE
WINDOW CLEARANCE BOARD AND CONVENOR,
GREEN CHANNEL CLEARANCE COMMITTEE,
ERNAKULAM), KADAVANTHARA, COCHIN.

4. THE KERALA STATE POLLUTION CONTROL
BOARD, REP. BY ITS REGIONAL
ENVIRONMENT ENGINEER,
ERNAKULAM, KADAVANTHARA, COCHIN-20.

5. VENGOLA GRAMA PANCHAYATH,
REP. BY ITS SECRETARY,
VENGOLA (P.O), PERUMBAVOOR.

6. A.K.SUDHEER, S/O. KUNJUMON,
ERAMTHURUTHY HOUSE,
PONJASSERY (P.O), MUDICAK (VIA),
PERUMBAVOOR-683 547.

BY ADV. SRI.M.M.SAIDU MUHAMMED
SRI.P.A.SHAJI SAMAD
SRI.BABU KARUKAPADATH
SRI.M.A.ABDUL HAKHIM
GOVERNMENT PLEADER SRI.K.V.MANOJKUMAR
SRI.G.GOPAKUMAR,SC, KSPCB
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
SRI.M.K.CHANDRAMOHAN DAS, SC, KSPCB.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.NO.13420 OF 2003

ORDER ON C.M.P.NO.22632 OF 2003
IN
O.P.NO.13420 OF 2003

Dismissed

Sd/-
KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the application submitted for installation permission by the 6th respondent dated 14.6.2002.

Ext.P2: True copy of the objection submitted by the petitioner dated 14.6.2002.

Ext.P3: True copy of the mass petition.

Ext.P4: True copy of the mass petition submitted to the various authorities.

Ext.P5 & P5(a): True copy of the postal acknowledgement cards evidencing receipt of the 4th respondent.

Ext.P6: True copy of the resolution adopted in the meeting of the 5th respondent Panchayat held on 28.8.2002.

Ext.P7: True copy of the minutes of the Green Channel clearance committee, dated 21.10.2002.

Ext.P8: True copy of the letter of the 3rd respondent send to the 5th respondent, dated 11.11.2002.

Ext.P9: True copy of the reply letter of the 5th respondent addressed to the 3rd respondent, dated 30.11.2002.

Ext.P10: True copy of the petition submitted by the petitioner to the Green Channel Clearance Committee, dated 13.11.2002.

Ext.P11: True copy of the postal acknowledgment card evidencing receipt of Ext.P10 by the 3rd respondent.

Ext.P12: True copy of the letter of the Secretary of the 5th respondent Grama Panchayat to the 3rd respondent , dated 22.2.2003.

Ext.P13: True copy of the minutes of the District Single Window Clearance Board dated 10.2.2003.

Ext.P14: True copy of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act 1999.

Ext.P15: True copy of the rules framed there under.

// True copy //

P.A. to Judge

Jes

KURIAN JOSEPH, J.

O.P.13420 OF 2003

JUDGMENT

Dated 2nd April, 2007

KURIAN JOSEPH, J.

- -

O.P.NO.13420 OF 2003

- -

Dated this the 2nd day of April 2007

JUDGMENT

Petitioner approached this court with certain grievances regarding the functioning of a flour mill in C.M.P.22632/2003. This court passed the following order on 3.12.2003:

> "This is a petition for stay of Ext.P3 proceedings granting licence to the 5th respondent herein (6th respondent in the O.P.) to run a flour mill. Starting of the flour mill will be subject to the result of the O.P. It is also ordered that pending further hearing rice alone shall be ground there. In other words, before grinding spices, orders from this court shall be obtained."

Writ petition is disposed of in terms of the said order.

KURIAN JOSEPH, JUDGE

jes